P/3541-54

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Tomoaki Yamashita		Date:	August 17, 2005
Serial No.:	10/756,681	Group Art Unit:	2872
Filed:	January 13, 2004	Examiner:	Mark A. Robinson

For: STEREOSCOPIC MICROSCOPE, AND AN OBSERVATION MECHANISM
FOR USE IN A STEREOSCOPIC MICROSCOPE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT
REMARKS/ARGUMENT

This Response is filed in reply to the Restriction Requirement mailed June 24, 2005. Applicant elects the invention of Species (b), comprising Figure 3. The claims readable on this figure is identified in claims 1, 2, 4, 6-10, 12 and 14-23. Upon allowance of a generic claim, withdrawal of the election requirement is requested.

Applicant reserves the right to file a divisional application directed to the subject matter covered in the non-elected claims.

Early and favorable consideration of the present application is earnestly solicited.

If this communication is filed after the statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,
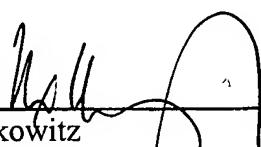
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